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Paper 24
Filed: June 8, 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JOHN T. GRAY, RICHARD MULLIGAN,
AND JENG SHIN LEE,
Junior Party
(U.S. Patent 6,958,226),

v.

ALAN JOHN KINGSMAN, KYRIACOS MITROPHANOUS,
AND NARRY KIM,
Senior Party
(U.S. Application 10/351,938).
Patent Interference No. 105,672 (MPT)
(Technology Center 1600)

JUDGMENT – PRIORITY – Bd. R. 127

Before: SALLY G. LANE, SALLY C. MEDLEY, and MICHAEL P. TIERNEY,
Administrative Patent Judges.

TIERNEY, *Administrative Patent Judge.*

Kingsman's involved '938 application and Gray's involved '226 patent are
now assigned to the same real party in interest: Oxford BioMedica (UK) Limited,
Oxford BioMedica, plc, and BioMedica, Inc. (Paper 17, p. 2, ll. 3-5). Counsel for

1 Kingsman and Gray, in response to an Order to Show Cause (Paper 20), requested
2 that judgment on priority of invention be awarded against the Junior Party Gray
3 ‘226 patent. (Paper 21, p. 1, ll. 1-6). Accordingly,

4 It is:

5 Ordered that judgment be entered against all of the involved Junior Party
6 Gray ‘226 patent claims, claims 1-22.

7 Further Ordered that claims 1-22 of the involved Gray, U.S. Patent
8 6,958,226 be CANCELED, 35 U.S.C. §135(a).

9 Further Ordered that a copy of this judgment be entered in the
10 administrative records of the involved U.S. Patent 6,958,226 and U.S. Application
11 10/351,938.

1 cc: (electronic filing)
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